श्री सभापति : सदन की कार्रवाई भोजनावकाश के लिए 45 मिनट के लिए स्थगित की जाती है ।

The House then adjourned for lunch at twenty-five minutes past one of the clock.

The House re-assembled after lunch at fourteen minutes past two of the clock, THE DEPUTY CHAIRMAN in the Chair.

STATUTORY RESOLUTION SEEKING DISAPPROV OF THE DELHI METRO RAILWAY (OPERATION AND MAINTENANCE) ORDINANCE, 2002

AND

THE DELHI METRO RAILWAY (OPERATION AND MAINTENANCE) BILL, 2002

THE DEPUTY CHAIRMAN: We will now take up the Statutory Resolution disapproving the Delhi Metro Railwa (Operation and Maintenance) Ordinance, 2002, by Shri Pranab Mukherjee, and the Delhi Metro (Operation and Maintenance) Bill, 2002, together.

SHRI PRANAB MUKHERJEE (West Bengal): Madam, I move:

> "That this House disapproves the Delhi Metro Railway (Operation and Maintenance) Ordinance, 2002 (No. 7 of 2002)) promulgated by the President on the 29th October, 2002."

Madam, Deputy Chairperson, at the very outset, I would like to make it quite clear that we are not obstructing, or, we are not going to reject this Bill by disapproving it. But, we want to register our protest because this Legislation has been brought through the Ordinance route. Madam, you are fully aware that under Article 123 of the Constitution, the President or the Executive is vested with the power to promulgate Ordinances during the recess period of Parliament. What is the basic objective of this power given to the Executive? The basic objective is to ensure that the work of the Executive does not come to a standstill, when Parliament is not in Session. Therefore, during the interregnum period, the Executive is vested with law-making authority. Otherwise, it is the exclusive domain of the Parliament to make laws. But certain exigencies might arise during the interregnum period, that is, when Parliament is not in Session. At that time, the Executive, can exercise its Ordinance-making authority.

Madam, look at the structure of the Bill. There are 12 chapters and 105 clauses in it. It covers the entire gamut of how the Delhi Metro Railway would be operated. I will not go into the dispute which is going on between the Central Government and the Delhi Government. I will not go into that aspect right now. But why a Bill of such a comprehensive nature; which does not deal with one or two clauses or sub-clauses, or, one or two provisions in the form of amendments, and which is completely a new legislation having 12 chapters and 105 clauses dealing with the entire gamut of the operation of underground railways, could not be brought through a normal legislation? This is my simple question to the hon. Minister. In the month of July-August, Parliament was in session. The Metro Railway is under construction for quite some time now. We have the experience of construction and running of metro railways in Kolkata. It is not a new phenomenon being experimented in Delhi. The Mass Rapid Transit System of Delhi was being debated in the Union Government for many years. Ultimately, it was decided that metro railway would be constructed by a corporation, registered under the Company's Act, 1956. In 1978, Parliament passed an Act. The corporation had undertaken the work, and the different phases under which the work would be undertaken were made known. I cannot agree with the Government's argument that this Ordinance was called for because the first phase from Shahadra to Tiz Hazari was to be made operational from the month of December. I am sorry, I cannot agree with this type of argument because the Government should have collected all these facts at the very beginning only. Now, this is not merely an imaginary point which I am trying to bring before this House. The Executive has the right and the authority to make laws in the interregnum period when the Parliament is not in Session. As per the Constitution, the ultimate power of making a legislation is vested in Parliament. Therefore, Parliament has the right to reject an Ordinance and we have rejected an Ordinance earlier. Justice Ranganath Misra is present here, I think, it was one of his landmark judgments that even if an Ordinance lapses, its effect will continue. An Ordinance becomes operational immediately. But, I would like to know: was such a piece of legislation absolutely necessary? In course of time, I would like to know from the hon. Minister what steps the Government has taken in pursuance of the Ordinance which was promulgated in the month of October. The Parliament was convened on 18th of November, and this Ordinance was promulgated on 29th of October. It was promulgated just three weeks before the Parliament Session was to begin. I am just giving you one example. It is not related to this. It seems to be very embarrassing. As Chairman of a Parliamentary Standing

Committee, I myself had to deal with such a situation. This Government enhanced the salaries of the judges of the Supreme Court of India through an Ordinance. Now, it is provided in the Constitution that conditions of services of higher judiciary cannot be altered if it is not in favour of them. You enhanced the salaries of the Supreme Court and the High Court judges through an Ordinance, knowing fully well that you do not enjoy the majority of both the Houses. If that Ordinance had been rejected by this House, what would have happened? Again, you will have to take recourse to the principle that even if an Ordinance lapses, its effect still continues. Is it a fair proposition in the case of judiciary? Therefore, my objection to the Government is: why are you in a hurry to pass such important legislations through an Ordinance? What is the urgency in it?

The second point is - though I tried to understand, maybe my understanding is less than average, the Government has better understanding --in respect of fare fixation. If at all the metro rail is to be made operational, fares will be charged from the commuters. After promulgating an Ordinance, they should have thought about fixing the fares, appointing the Fare Fixation Committees and all that. What have you done, Mr. Minister? If your plea is that you were waiting for the regular passage of the legislation, then, why did you go through the Ordinance route? What are you waiting for? All these exercises, that is, appointment of Fare Fixation Committee, determination of terms and reference of the Fare Fixation Committee, fixation of fare, etc., should have been completed the day you promulgated the Ordinance or within a week after that. What have you done about that? If you have done something, it is fine. But let us know that you have done the job. Let us know that because of this reason you had to go through the Ordinance route. You should have told us that you have done your job. From this month, it will be made operational. As I said earlier, I am not going to oppose the Bill and that I will not seek the approval of the House for its rejection. I am not going to do that. What I am trying to point out is that there are certain inherent inconsistencies in passing a legislation of such nature. It is a voluminous legislation. It should have been scrutinised. What was the purpose of having a Corporation and making the State Government a part of it? It was because you considered that the local transport system should not be a burden of the Federal Government. It has so many things to do. I remember correctly - when I was in the Planning Commission - that while going through the structure of Metro Rail, I tried to persuade the West Bengal Government as to whether they would be in a position to take the Calcutta Metro Railway. They said, "No; no; we do not have money. We

would not like to have it." And, you made an experiment. It is a good experiment that you are involving the State Government because basically it is their job. Instead of carrying commuters on the surface, you are carrying commuters through the tunnel. That is the difference. Basically, it is the job of the State Government. But, here I do feel, in one respect, especially, in respect of safety; and that is the reason why we are supporting this Bill. For the sake of safety and security of the passengers, we are supporting this Bill. And, Delhi is a peculiar State where the police and administration are not vested in the State Government. Responsibility of maintenance of public order and enforcement of law, which are the normal functions of any other State Government. These are not the functions of the Delhi State Government and Parliament, in its wisdom, had passed that law. This authority is vested with the Union Government. Therefore, the appointment of the Safety Commissioners to ensure the safety of the passengers - underground passengers - is a good thing, especially, in the context of the information which we have received as to how efforts were made to blow up the London Metro. We feel that authority should be vested with the Union Government because State Government has no role to play here. But in respect of the other matters, what great harm would happen if the Government has invested the authority with the State Government and because of which this unseemly, unnecessary controversy arose. There was no need of it. It was the decision of the Government to involve the State Government and make it a part of the Corporation. Even in the fare structure, if you say, from the experience of the old DTU - and, thereafter, the DTC - days that sometimes appropriate fares were not structured, still in respect of many other areas, there were appropriate arrangements because of the involvement of the State Government. I do not find any inconsistency in the evolving of those appropriate arrangements where the State Government, which is also responsible for the construction of the Metro Rail. This responsibility should be equally shared with them. As we have evolved this system and as the Government is a continuing entity, this was conceptualised in the days of the earlier Government. Therefore, it should be taken to its logical conclusion.

Madam, I would not like to take more of your time, as our senior colleague, Dr. Karan Singh, who represents Delhi, will be speaking on this piece of legislation. With these words, I emphasise that I oppose the tendency of this Government to bring important legislation through the Ordinance route and especially, a comprehensive legislation like this which is having 12 Chapters and 105 Clauses. As a new piece of legislation, it should have gone through the normal legislation route, where all these

aspects could have been scrutinised in greater details by both the Houses of Parliament; and appropriate parliamentary committees are deprived of that opportunity. Thank you, Madam Chairperson for giving me this opportunity.

THE DEPUTY CHAIRMAN: Now, the Minister will move the Bill for consideration of the House.

THE MINISTER OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI ANANTH KUMAR): Madam, I beg to move :

> "That the Bill to provide for the operation and maintenance and to regulate the working of the metro railway in the metropolitan city of Delhi and for matters connected therewith and incidental thereto, as passed by Lok Sabha, be taken into consideration".

THE DEPUTY CHAIRMAN: Mr. Minister, would you not like to speak on the Bill or explain as to what were the reasons for bringing this Ordinance?

SHRI ANANTH KUMAR: Madam, the hon. senior Member, Shri Pranab Mukerjee, had raised the point as to why we brought the Ordiance in regard to such a comprehensive legislation, with 12 Chapters and 105 Clauses.

Madam, I think this House would appreciate that the Delhi Metro project, which is of global standard, is already being implemented before the time schedule. The first section, between Shahdara and Tis Hazari, of 8.3 kilometres, would be operationalised by the end of December.

The proposed Metro Railway (Operation and Maintenance) Bill was prepared in the year 2000. It was circulated to the Government of Delhi and to the Ministry of Railways. For one-and-a-half years, the Delhi Government did not come out with its comments. It came out with its comments only this September. There were protracted consultations between the Ministry of Railways and the Ministry of Law, because Delhi Metro is the first of its kind. It is not like the Calcutta Metro, which is one hundred per cent owned and operated by the Railways. Here, we came out with a special purposes vehicle, wherein 50 per cent of the equity is from the Union Government and 50 per cent from the Delhi Government. It has been registered under the Companies Act as Delhi Metro Rail Corporation, with five members nominated from the Delhi Government. Of these, three are functional directors, who would report to the MD appointed by the Delhi Government. Five Members are nominated by the Central Government and one is the Chairman. Therefore, this is a special purpose vehicle which has been put in place.

Actually through this Bill, we are empowering neither the Delhi Government nor the Union Government, but only the Delhi Metro Rail Corporation.

When we perused the schedule, we realised that time was running out. The draft Bill which had been circulated was still under discussion. Our aim was to see that the world-class Metro is commissioned in December, before the schedule so that the people of Delhi start getting the benefit of it. It is going to be a great solution for removing the pollution and traffic congestion and the day-to-day difficulties of the commuters of Delhi.

Madam, we wanted to have this Ordinace so that rules could be notiified. There are two aspects to it. One is that the Railways Safety Commissioner will be overseeing the safety of the Delhi Metro. He has to survey the railway line. He has also to survey the various activities and various rolling stock and later, we have to appoint the Trains Commissioner, again, through the Railways. For all those things, we need a legal framework, a provisioning and the rules. Later, the second aspect is of fare fixation and general rule making. Such things have to be done. Therefore, fully knowing that such a comprehensive Bill needs the consideration of the Parliament, because of this exigency, we brought the Ordinance with the sole purpose of having a legal framework to have the operations and maintenance and to finalise all the technicalities of Delhi Metro Railway. With this, we have made legal provisions for the functions and powers of Metro Rail Administration and the appointment of Commissioner of Metro Railway Safety. The hon. Member has raised a very important question. The question is: What have we done after promulgation? We promulgated the Ordinance on 29th October and within two or three days we made the rules and we went ahead with all the appointments and simultaneously went ahead with the certification and the testing of the railway line and the gadgets as well as the rolling stock. I appreciate what senior hon. Member has said that though they want to register their protest about the tendency of Ordinance-making, of not allowing consideration of the Parliament beforehand, but in the larger interests, he has said that they will allow this Bill to be passed. Therefore, I am thankful for that. I also request the whole-hearted support of the entire House for this Bill. With these words, Madam, I move the Bill to provide for the operation and maintenance and to regulate the working of the Metro Railway in the metropolitan city of Delhi and once again, for the consideration of the House. Thank you.

The questions were proposed

THE DEPUTY CHAIRMAN: I have a request Dr. Sahib. Shri Laluji has some appointment where he wants to go. Ordinarily, you would be the speaker, but if you concede to him...*(interruptions)*...

DR. KARAN SINGH (NCT of Delhi): I am very happy to concede to Shri Laluji.

उपसभापति : लालू जी, मैं घण्टी नहीं बजाऊंगी । आपके चार मिनट हैं ।

श्री लालू प्रसाद (बिहार) : मैडम, कोरम पूरा नहीं था । हम लोगों ने ही आकर पूरा किया था ।

उपसभापति : अच्छा किया, आपसे ऐसे ही अच्छे कामों की उम्मीद है ।

श्री संघ प्रिय गौतम (उत्तरांचल): अकेले नहीं आए थे ।

श्री लालू प्रसाद : तीन-चार लोगो को साथ लेकर आए थे ।

उपसभापति : लेकिन साथ लेकर जाइएगा नही, नहीं तो कोरम का ...**(व्यवधान)**...

श्री लालू प्रसाद : मैडम, चेयर का स्वभाव हम लोग ही हैं । जो मैट्रो रेल है, अब तो यहां रेल बन गई है, इस पर जो राजनीति हुई है, उसमें यहां देखा गया है कि किस तरह से दिल्ली में राज्य सरकार को दबाने का काम हुआ है । कोन्फिडेंस में लेने का काम नहीं हुआ है । यह क्रेडिट लेने की बराबर कोशिश हुई है कि भारतीय जनता पार्टी बड़ा भारी काम कर रही है । यह इनकी उपलब्धि है । महोदया, मुझे अंदेशा है कि यह मेट्रो रेल भविष्य में राजनीति का केंद्र बनकर, अखाड़ा बनकर अधर मे लटक कर रह जाएगी । उद्घाटन के समय को भी हमने देखा है जब आडवाणी जी ने झण्डी हिलाकर मेट्रो को यहां चलाने का काम किया था । जापान के सहयोग से, कर्जा लेकर दिल्ली में मेट्रो को स्थापित किया गया है । मैं यह कहना चाहता हूं कि इन्होंने चुनाय के नजरिए को ध्यान मे रखते हुए कानून बनाया, आर्डिनेंस बनाकर क्रेडिट लेने का काम किया है। अब ये अलग से मैट्रो प्रशासन बनाने जा रहे हैं। पता नहीं जो रिक्तियां होगी उसमें किस किसको भरेंगे? साफ-साफ इस कानून मे प्रावधान देखने को हमको नहीं मिल रहा है कि आखिर यह पैसा किसका है। यह जो कर्ज लिया है इसका भुगतान कैसे होगा? यह दिल्ली में आने जाने वाले लोगों के किराए से होगा या देश से चाहे इसमें पटना हो, चेन्नई हो, कोलकाता हो, हरियाणा हो, पंजाब हो, उत्तर प्रदेश हो। यह देश का पैसा है और इस देश के पैसे को यहां ला करके ठीक है आपने इसकी शुरूआत की है। शुरू से जो मैट्रोपोलिटन सिटीज हैं महोदया, ज्यादा से ज्यादा ध्यान उन्ही पर दिया गया है। कोलकाता में बनी।

आपने इसमें उद्देश्यो में लिखा है - ट्राफिक को ध्यान में रखते हुए, जनसंख्या को देखते हुए, दुर्घटनाओं को देखते हुए - सड़कों पर जो दुर्घटनाएं हो रही हैं - लाल बत्ती की वजह से, ऊपर से अब तो दिल्ली मे जिन-जिन नेताओं के ऊपर भारी खतरा पैदा हो गया है उनकी वजह से जो दिल्लीवासी सड़को पर चलते हैं उनके लिए घंटों रास्ता बंद रहता है। कौन गुजर रहा है? प्रधान मंत्री जा रहे हैं? फिर यह कौन आ गया? डिप्टी प्राइम मिनिस्टर आ रहे हैं। फिर यह कौन जा रहा है? यह आपका जो उद्देश्य था ...**(व्यवधान)**... लालू जी को तो पाइप

लाइन मे रख देते हैं। यह चार-चार घंटे है, दिल्लीवासियो को मालूम है कि क्या हालत हो रही है। इसमें भारी भेदभाव है। अभी तो लोक सभा ने पास कर दिया है। विचार के लिए यहां आ गया है। यह सुविधा आप पटना में क्यों नही दे रहे हैं? यह सुविधा आप चेन्नई मे क्यों नहीं दे रहे हैं? यह सुविधा आप लखनऊ मे क्यों नही दे रहे हैं, चंडीगढ़ में क्यों नहीं दे रहे हैं, यह सुविधा आपने कर्नाटक मे क्यों नही दी, आसाम में क्यों नहीं दी? आप पटना को देखे, आप चेन्नई को देखें, वहां की सड़को की हालत को देखें। तो राज्यों की स्थिति अच्छी नहीं है। जो मैट्रोपोलिटन सिटीज हैं इसमें भी आप खास करके आगे उनको बढ़ाया दें और देश भर के हम सभी लोगों के पैसे से! बुधुआ माझी का पैसा लगा है, मंगरू महतो का पैसा इसमें लगा है, घरभरन शर्मा का पैसा इसमे लगा है। आप यह सुविधा नीचे नहीं दे रहे हैं।

महोदया, अब ये न्यायालयो के फैसले हैं। हम सभी लोगों के, बच्चों के भविष्य और स्वास्थ्य को ध्यान में रखते हुए सुप्रीम कोर्ट के, हाईकोर्टों के फैसले आ रहे हैं। दिल्ली में संसार भर के हर क्षेत्र के विख्यात लोग रहते हैं। अब धुंए से जो स्वास्थ्य खराब हो रहा है, दिल्ली का, सारे शहरियों का, तो माननीय न्यायालय ने आदेश दिया कि अब यह डीजल वाला हटाओ, टेम्पो हटाओ, अब ये बसेज हटाओ। यह सारा पटना के विषय में भी लिखा है। लिखा हुआ है कि चारो तरफ पाल्यूशन हो रहा है। वह राष्ट्र जो तरक्की कर गया या दिल्ली के सब घरों में पाल्यूशन क्यो हो रहा है? इस पाल्यूशन के कारणों में अगर हम लोग जाएंगे तो जो लोग ज्यादा ए.सी. का इस्तेमाल कर रहे हैं, जो ज्यादा गंदगी पैदा कर रहे हैं, इन पर पहले हमको ध्यान देना चाहिए। अब यह दिल्ली मैट्रो देश के पैसे का कर्ज से है। चाहे गुजरात का चुनाव हो या दिल्ली का चुनाव होने वाला है - दिल्ली मे फिर आपको दिल्ली की जनता ने, देश की जनता ने आपको चिन्हित कर लिया है, पहचान लिया है। तो आप राज्यों के साथ भेदभाव कर रहे हैं । यह उद्देश्य है। आज यह ट्रैफिक के संबंध में है । कल पटना में आदेश हो जाएगा कि भैंस यहां से हटाओ । इस तरह से एक तरफ तो आप चंद बड़े शहरों को दुल्हन की तरह सजाने के काम मे लगे हुए हैं । जबकि इसको आपको डीसैन्ट्रलाइज्ड करना चाहिए था । मास्को को यदि आप देखें तो यहां मेट्रो नही है । छोटे-छोटे शहरों मे, जिसकी आबादी है, जनसंख्या है, अगर आप कर्जा लेने बैठते हैं तो आप राज्यों की राय नही लेते हैं, उनको आप कंफीडेंस में नहीं लेते हैं । अगर आप दिल्ली के पैसे से, आपके पैसे से, पैसेजर के पैसे से, यह खर्चा जितना हुआ है, अगर इसका बहाना हो जाता है तो हम पटना के लोग हकदार नही है । महोदया, हम माननीय मंत्री जी से चाहेंगे कि आपने हम लोगों के साथ ऐसा भेदभाव क्यों किया, इन राज्यों के साथ, पटना के साथ, चेन्नई के साथ, आपके सहयोगी दल के लोग जो आपके पॉर्टनर यहां पर बैठे हुए हैं, इनका भी आपने ख्याल नहीं किया है । आप कोई ख्याल ही नहीं करते । तो जब तक हम इस सुविधा को डीसैन्ट्रलाइज्ड नहीं करेंगे, सभी राज्यों को हम आगे नहीं ले कर चलेंगे तो फिर यह ट्रैफिक की स्थिति बड़ी खतरनाक होने वाली है । इस आर्डिनेंस की कोई जरूरत नहीं थी । क्या आपके नगर विभाग के पास एक्सपर्टीज़ हैं ? क्यों इसके लिए आप अलग कार्पोरेशन बैठाना चाहते हैं ? एक तरफ तो आप रेलवे में छंटनी करवा रहे हैं, हुनर समाप्त कर रहे हैं । हमारे बच्चों को जो हुनर सिखाया जाता था, मकैनिक बनाए जाते थे, जो कामकाजी लोग थे, उनको आप समाप्त करके और रेलवे को आप देखें, इनके पास एक्सपर्टीज़ हैं आपने उनको लिया नहीं । रेलवे को आप देखते तो आपको कोई जरूरत नहीं थी । मेरा मानना है, कार्पोरेशन बनाने का, प्रशासन बनाने का और यह तय करने का जो कानून में इन्होंने प्रावधान किया है, मोटा-मोटी जो हमने देखा है इसने सारा दायित्व कार्पोरेशन का है । इस देश के जो कार्पोरेशंज़ हैं, जो मुनाफे में थे, उनको आपने औने-पौने भाव में बेच दिया क्योंकि विनिवेश करने की आपकी नीति है और कल तो आप

इसको भी ऐसे ही कर देगे । यह हमारे दल का ऐसा अंदेशा है, चाहे जिस रूप मे आप लीजिए हमारे इस देश के 35 कल-कारखाने जो मुनाफे में थे, आप मॉडर्नाइजेशन का ढोग रचते हैं, आप सिंगापुर बनाना चाहते हैं, आप इस देश को अमरीका बनाना चाहते हैं और आप कर्जा ले करके हमको यह अंदेशा है कि इसको भी आप बेचेंगे । हम यह जानना चाहते हैं, बिहार की जनता जानना चाहती है, तमिलनाडु की जनता जानना चाहती है और पंजाब की जनता जानना चाहती है, पूरे देश की जनता यह जानना चाहती है, कब आप लोन लेने जा रहे हैं, कब इसका इंतजाम करने जा रहे हैं । अन्यथा आने वाले समय में हम लोग निश्चित रूप से इस सवाल को उठायेगे। मैडम, हम आपकी वजह से, आपकी रेस्पैक्ट करते हुए हम अपनी बात को यही समाप्त कर देते हैं । हमारी अपेक्षा है कि इस सवाल को, यह जो गंभीर सवाल है कि आप भेदभाव करते हैं, कलकत्ता ने ठीक ही किया, यहां कर दिया, ठीक है, लेकिन आप इनटैक्ट नही थे । कल यहां खतरा होता है, दिल्ली पर डेजर आता है, यहां से लोग गाड़ी खरीद कर ले जा रहे हैं, गाड़ी सड़को से बाहर जा रही है, तो इन चीजो को, जो शहरो मे जमाव है, इन शहरो की सुविधा को, छोटे-छोटे, मझौले शहर और जो डियेलप सिटीज हैं, यहां यह सुविधा जब आप देगे तो दिल्ली पर दबाव कम होगा, कलकत्ता पर दबाव कम होगा, यह आपको ध्यान में रखना चाहिए । आपने किस रेट पर सूद लिया है, यह देश पहले ही कर्जे मे डूबा है, कर्जा ले करके आप अपने को मॉडर्न साबित करना चाहते हैं और कल आप फिर इसको बेच देंगे, किसी निजी हाथो में सुपुर्द कर देंगे, यह आपकी हालत है । इसलिए हमको अंदेशा है कि यह चल पाएगा या नही चल पाएगा । यहां की दिल्ली सरकार और यहां के मुख्य मंत्री ने जितना इसको चालू करने में सहयोग किया, रात-दिन लग कर काम किया, लेकिन उसको आप कोई महत्व नही देते, कंफीडेंस मे नही लेते, तो यह फैडरल सिस्टम है, महोदया, यह आप समझिएगा ..... । जब राज्य कमजोर होगा तो केन्द्र कमजोर होगा, केन्द्र भी मजबूत होने वाला नही है । इसलिए आप राज्यो के साथ भेदभाव करने की नीति का त्याग करे तब यह भारत और हमारा राष्ट्र मजबूत होगा और हम लोगो को सारी सुविधाएं मिलेगी।

मैडम, अकेला चना तो भाड़ नहीं फोड़ेगा । हमारा दल एक छोटा दल है, इसलिए बहुत सारे प्रस्तावों पर हम लोगों की सहमति न होते हुए भी हम इस पर अपनी सहमति व्यक्त करते हैं । प्रणब बाबू ने भी इसे पास कर देने के लिए कह दिया है तो हम भी इस में जोर लगा देते हैं, लेकिन मेरी बातो का भी आप को ध्यान रखना चाहिए ।

उपसभापति : लालू जी ने चुनौती दी है कि आइंदा जो मेट्रो बनेगी उस मे राज्यो का भी ध्यान रखा जाएगा । ये केवल मेट्रो सिटीज में नही लगेंगी बल्कि दूसरे शहरो मे भी लगेंगी । डा0 कर्ण सिंह ।

DR. KARAN SINGH: Madam Deputy Chairman, while the opening of the Delhi Metro is obviously something that was long overdue and will be welcomed by everyone, the way the Government of India has handled it is, indeed, very unfortunate and leaves a great deal to be desired. On the 29th of October, they issued an Ordinance. On 18th November, Parliament was going to meet, as Pranabji has pointed out. He has not come up with any satisfactory explanation as to why, 21 days before Parliament was to meet, there was a necessity to bring the Ordinance! More important than this

event, Madam, is the fact that this sort of action is against the spirit of federalism, which is very important for the development of our nation. You have a tendency of overcentralising power in the Government of India. Here, you have a classic instance where 50 per cent of the equity is with the Delhi State, and the remaining 50 per cent is with the Government of India. You are sitting here, right in the Capital. And Madam, the Minister says that they had written a letter to the Delhi Administration! Surely, it could have been possible for the Minister to call a meeting with the Chief Minister and discuss all the matters in detail. Why should he get involved in all these formalities, of sending letters from his office to the office of the Chief Minister? It is not a question of correspondence. It is a question of the attitude of the Government of India towards these projects. I would go to the extent of saying that even if the Delhi Administration had no equity in this project, it would have been your responsibility...*(Interruptions)*...

SHRI ANANTH KUMAR: Dr. Sahib, please yield for a minute. The thing is that it was not a cursory letter to the Delhi Chief Minister. Way back in 2000, we had formally circulated the draft Bill and sent more than ten reminders, seeking their comments. Till September, 2002, we did not receive their comments. Therefore, it is not just a single letter, ..*(Interruptions)*...

DR. KARAN SINGH: Madam, it was a letter through which he had sent the draft Bill. The point is, whatever the Delhi Government might have said, it was necessary for the Minister to have called meetings with the Delhi Chief Minister, with the Minister of Transport in Delhi and have sat around the table and sorted out the differences. This formal attitude, that we had sent the draft Bill and that we could not get a reply, whatever the reasons might have been, -I have a lot of material from the Delhi Administration. I am not going into the details - is not going to help. Madam, I would like to place on record our unhappiness at the fact that even in a project which is under the very eyes of the Government of India, they do not take the State Government into confidence! Then, what will happen to projects where the State Governments are very far away? So, I do not find any justification for, firstly, the unseemly haste in bringing an Ordinance just eighteen days before Parliament was to meet and secondly, the inability of the Minister or the disinclination of the Minister to call a meeting, face-to-face, instead of writing letters or sending reminders to seek their comments and sort out these problems. The Delhi Administration wrote to you. Still, I would like to know from the hon. Minister whether he had taken cognisance of all the points that the Delhi Administration had raised. The Ordinance was

promulgated on the 29th of October; the Delhi letter came on the 23rd of September. There were still 40 days in which there could have been a much closer and more integrated approach to this problem. I am afraid, it does leave the impression that there were some political motivations behind it; particularly, if you remember, when the flagging off was done by one hon. Minister and the other one went to another place. It gave the impression to the general public that the Government of India and the Delhi Government were functioning at cross-purposes. I would submit that on such a crucial and important matter like the Delhi Metro, this impression should not have gone at all and the responsibility to ensure proper coordination lay fairly and squarely with the Government of India. Madam, having raised these two points, there are two or three more points that I would like to raise with regard to the actual Bill.

Firstly, the question of security; Pranab babu also mentioned about it. Madam, security is becoming an increasingly difficult problem around the country. Only a few months ago, we had a horrific incident of a girl having been assaulted on one of the Bombay suburban trains. Both anti-national and anti-social elements are active. Sometimes, they overlap; sometimes they do not. Therefore, the responsibility for the security of this Delhi Metro fairly and squarely rests with the Government of India, because police is under the control of the Government of India; not under the Delhi Administration. Therefore, we want the Minister to assure the House that there would be security in the Metro against anti-national, terrorist and anti-social elements. The incidence of assaults on women are now becoming horrifically frequent. We don't want the country to become an area where anti-social elements could roam about freely. The penalties clauses, Chapter XI, I suggest, should be very strictly enforced. From the beginning, anybody who is caught doing anything anti-social, should be taken to task strongly so that it is a warning for others.

The second point, Madam, is availability of power. After all, a metro train runs on power. Even as it is, we have frequent breakdowns of power in Delhi. Even in the so-called posh colonies, I live in one such so-called posh colony, Chankyapuri, where electricity is not supposed to go out, even there breakdowns occur. When this is the case, what will happen in the case of a metro train? What will happen if, in a running train, power breaks down? Have you ensured that there will be power around the clock? We cannot afford the breakdown of power during the running of the train.

3.00 p.m.

The third point is maintenance and cleanliness. This is something which we have to take very, very seriously. Unfortunately, individually, we are very clean as a nation. We bathe on Amavasya, on Poornima, in the morning, in the evening, in the Ganga, in the Yamuna, and so on. But collectively, we are a nation of clutterbugs, *kachra*. Everywhere you look, there are heaps and heaps of *kachra*. Now, the cleanliness of these trains is very important. Mr. Minister, we don't want people defecating on the track; we don't want them urinating at the stations; we don't want *kachra* all around. That is what is happening all the time, at bus stops. For God's sake, at least keep the Delhi Metro a model for the rest of the country, and ensure that the public awareness is kept high.

And finally, the completion date for the entire project. I read in some of the newspapers that the completion date of the project is 2021. I am not sure whether that is correct. That is what I read in an editorial. Now, that seems to be a peculiarly prolonged completion date. After all, the Metro has come after a long wait. The pollution in Delhi was reaching intolerable limits; the traffic congestion was becoming absolutely impossible. We hope that, with the introduction of Metro, there will be considerable improvement in the situation. You are requested to see that the project is completed on time. Please take the Delhi Government into consideration and into your confidence. Do not try and make this a party matter or a partisan matter. It is a matter concerning the capital, which is the heart of India, which is the model of India. So, with that attitude, we have decided, as a constructive Opposition, not to oppose the Bill, but to simply point these matters out. I hope the Minister will respond positively. Thank you.

THE DEPUTY CHAIRMAN: But one thing I must say. When I read that it was disabled-friendly stations that we were going to have, I was very happy because nobody bothers about the disabled persons' convenience. The second point that Karan Singh Sahib mentioned was that there should be no *kachara* inside the metro. I feel that there should be no *kachara* on the top of the metro also.

DR. L.M. SINGHVI (Rajasthan): Madam Deputy Chairperson, may I say that I welcome the constructive approach of the hon. Member, who just spoke on behalf of the Congress Party? I think it is important for us to keep these above partisan debate. These are nation-building activities in which we should participate in a constructive spirit, where criticism would be welcome, but an effort to make things better would be even more

welcome. we all await the arrival of the metro in the metropolis and we await it not in 2021, as Dr. Karan Singh has pointed out, but sooner than that. Indeed, we await the cultivation of the civic habbit of travelling by metro; and I would only counsel the Ministers, Members of Parliament and other VIPs to use the metro once in a while so that it becomes a part of the habit of the people to travel by metro and improve it. Unfortunately, we have a way of introducing first-rate services, well-conceived services; but those services are, unfortunately, prone to fall into the rut of misuse, abuse and poor maintenance.

This Bill has not come a day too soon. I don't think that it is right to fault the Minister or the Govt. for having promulgated the Ordinance, though I am not in favour of an Ordinance generally. However, we have given a power to the Government and the Parliament. In this matter, there was a considerable delay already and that delay was going to prove to be costly and cumbersome for the progress of this project. I think by issuing this Ordinance all that was done was to provide an intimation and the legal framework, which was intended to be brought into existence. I understand that the Delhi Administration had some useful comments to offer and if they had offered those comments, I am sure, they would have been taken into account because it is truly an example of cooperative federalism; it is truly an example where the Central Government and the State Government should rise to the occasion to participate in an activity, which is essentially an enterprise, a national enterprise.

I think it is also important to remember, as the hon. Minister has just now pointed out, that it was not a mere letter telling Delhi Administration that such and such Bill was intended to be introduced. It was a letter inviting the comments of the Delhi Administration on that Bill. If, for a long time, nothing was coming forward, I think my learned and distinguished hon. friend, Dr. Karan Singh, would agree with the principle of *"maunam sammati lakshanam"*. When Delhi Administration kept quiet, it was rightly assumed that they had consented and concurred with the spirit of the Bill. So far as the Bill is concerned, it is a routine Bill as it comes to us. The metropolitan railways have given a lot of experience in different countries. This is only a framework Bill. A great deal of experience will be gained by us and in the light of that experience, the Bill may have to revisit us is the Parliament, once in a while. The point is that without a legal framework, nothing can get started. And it is to provide that legal framework, that this Bill has been conceived and brought forward.

I think it is important to point out that in this partnership, both the Central Government and the Delhi Government would have to participate in a constructive way. More than both of them, the civic responsibility of the people who use it, would be an important input and a very crucial factor in keeping the stations clean, in keeping the railway compartments clean, in making the service efficient. Punctuality is something that one would like to emphasise at this juncture. The first and foremost mandate should be security and safety. The second equally important mandate should be punctuality of these services and the third is that there must be a sufficient frequency of services to cope with the entire traffic demand.

Madam, we have experienced in recent years that some of the best railway coaches are maintained poorly. It is not always the fault of the government or the railway administration, it is also the fault of the people who use them. I think we have got to cultivate a stronger sense of civic responsibility. I came across a situation where an old Gandhian worker was sitting with me in the second class air-conditioned compartment of a train. Everybody was complaining about the state of cleanliness in the toilets. He just got up and cleaned the toilets himself in order to set an example that we have ourselves to do something. I am not saying that this is what every passenger should be doing. I am saying that civic responsibility to keep the trains clean, to keep the place free of litter, to see that the stations are clean good looking is also that of ours and I think, for that, a lot of campaigning for the education of the civic mind is necessary. Equally important it is, Madam, for the hon. Minister and the organisation who would be entrusted with the job of doing it, to see that there is aesthetic elegance in these railways and in these stations. Some of the countries have improved Metro services to an extent that they are no longer recognisable.

If one visited the underground system in Britain in 1952 and one visits them now or in Paris at that time and now, you find a world of difference because the world has moved on we should produce a state of the art aesthetic elegance in the stations as well as in the trains. Punctuality is very important and I think, one should make sure that these trains do not run late as many of the trains tend to run late. The sense of time has to be more precise in the matter of running these trains.

The most important thing, it seems to me, Madam, is the question of how are we going to cope with the exponential growth of population, the exponential growth of traffic and the exponential growth of the car population in the metropolitan city of Delhi. This is a problem of the greatest importance and gravity and I think, there has to be a provision

which will provide answer to some of the problems. I would like, therefore, to congratulate the Minister on making sure that metro in Delhi would provide, at least, a part of an answer to the great threat to transport system and publicity to road safety and also to environmental security in Delhi. I do hope that Chapter 11 and chapters relating to offences and security would be strongly enforced. Clause 97 is only a framework provision and, I think, we have to put effective content into Clause 97 to provide a security system which is able to counter the possibility of terrorist violence and other kinds of petty violence and disorder. Thank you.

SHRIMATI VANGA GEETHA (Andhra Pradesh): Madam, I support the Delhi Metro Railway (Operation and Maintenance) Bill, 2002. It is a very important Bill. I do not know who is going to operate the Delhi Metro Railway; whether the Ministry of Railways or the Ministry of Urban Development or the State Government. The Delhi Metro requires people of high expertise who can operate and maintain it. I hope the Government would see to it that the Delhi Metro is run in the larger interest of the people because safety of the people is very important. There are different systems in different parts of the country. The Delhi Metro ststem should be simplified and it should be remunerative. In terms of operations, it should be aocident-free. The Delhi Metro should be taken care of properly. I request the hon. Minister to see to it that all the metropolitan cities are helped in the same manner in order to reduce the traffic congestion and pollution level. I would like to suggest that such a system should also be considered for Chennai, Bangalore, Hyderabad and other cities where traffic has really become a problem.

Finally, I request the Government to constitute an Advisory Committee consisting of eminent persons, including a woman Member who can give advice to the Delhi Metro authorities for its smooth functioning. Thank you.

SHRI PRASANTA CHATTERJEE (West Bengal): Madam, I support the Delhi Metro Railway (Operation and Maintenance) Bill, 2002. I support the observations made by Shri Pranab Mukherjee. If I have understood the hon. Minister correctly, he stated that the Delhi Metro would not be a railway but as proposed in this Bill, it would not have its own signalling arrangement and all that. The Delhi Metro is not a Government railway. It is a non-Government railway. So, the Delhi Metro is a private organisation which comes under the Companies Act. One day somebody will sell it, as it is being practised in our country, under the BJP's rule now.

So far as the Delhi Metro is concerned, one share comes from the Central Government, one share comes from the State Government and the balance comes as a loan from Japan. Once the loan is paid back, who would have the control over it? That is my point. The Minister has stated that Delhi Metro is of global standards. So far as Kolkata is concerned, it is having only 16 kilometres of metro railway. Madam, you know what happened in Kolkata. I am glad that so much care has been taken here. The total length has been estimated to 96 kilometres. I do not know whether the Minister would be able to tell us as to when the entire Delhi Metro project and Kolkata project would be completed. I request the hon. Minister to tell us as to when it would be completed. So far as Delhi is concerned, the total distance would be 240 kilometres, and it is estimated to be completed in 2021. Madam, seven million in London with a population of 410 kilometers is now running in Metro. And Minister has talked about global standard. Anyway, I support this Bill because it would go a long way in helping the citizens of the National Capital Territory of Delhi. The urban planners, nowadays, do feel that to meet the problem of over-congestion, in over-populated metro cities, we should build more underground or elevated people mover systems. In that way, this is very welcome. There are other metro cities also and such steps will have to be taken. Now, my party fully endorse the question, "Why an Ordinance was promulgated?" The Metro Railways started about four years back. So, we have got enough time to place the matter here. In the Standing Committee; we could have discussed the pros and cons of the Bill elaborately. So, the Federal concept has been attacked by the BJP once again in this Bill. So, this is our very serious objection to that. It is not an answer that one or two letters were not answered by the State Government. We have written so many letters, I know. On the contrary, so many vital letters were not answered by the Central Government. It is to avoid the responsibility that letters were not answered. You are staying in Delhi, you should have called a meeting with the State Government. Anyway, it is to avoid the Parliament. It is not fair; it is not good. What have you done about the Women's Representation Bill? Why not an Ordinance on that? Because, that does not suit you. So, now you see there is 50:50 share between the State Government and the Union Government. So, equal share and equal responsibility. Now, regarding the fare fixation committee, a committee ultimately will be formed under the Chairmanship of a sitting Judge of the High Court with equal representation from the Union Government and the State Government. But, the fixation of fare at the initial stage, on the opening of the Metro will be done by the Metro Railway Administration. So,

when there is an equal responsibility, the initial share of fixation of fare will not be consulted with the State Government, That will have to do. And, do not fix it arbitrarily, because I would like to mention that it must be kept in mind by all of us that 100 per cent recovery from passengers only will not be possible in Metro. What is our experience is Indian Railways?. Which Railways are getting the maximum revenue, and from which area? It is not in those zones where only passengers are covered. So, earning from the non-conventional sources like commercial advertisements, inside and outside the train, renting out spaces, etc., should also be planned. That should be planned with a good intention. There are two types of intentions. One sell the country. So, bad intention and good intention. *In petroleum, there is petrol pump scam. So, while fixing the fair... *(Interruptions)*...

THE DEPUTY CHAIRMAN: If you see in terms of numbers, it is okay.

SHRI PRASANTA CHATTERJEE: While fixing the fare, one must consider the other fares of road transport. This should not be a unilateral decision. Many of the international metros are running with subsidies. And then, why is the Ministry of Urban Development been chosen as a nodal agency, instead of Ministry of Railways? Not that the Ministry of Railways is doing well. They have officially instructed -- many of us know that -- to reduce the speed limit of Rajdhani Express between Mughal Sarai and Dhanbad to avoid accidents. But the Railway announced 130 km speed, but the trains are running late, How our country is progressing! But Madam, it is the Railways which have the experience in this field and not the Ministry of Urban Development. Maybe, since the urban development schemes are to be financed by the State Budget as well, the Railway projects are also being processed as Urban Development projects.

Madam, we do support this Bill. But the coordination between the Union Government and the State to run the metro efficiently in the best interests of the citizens is a must because the fixation of the feeder route linking the metro station with the road transport system will have to be planned very systematically. That is why the coordination is necessary. In Calcutta's metro rail, number of accidents are taking place. Now, you will be facing the problems here also. How to avoid accidents? This should be thought of.

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* Expunged as ordered by the Chair

Madam, there is a provision in this Bill in clause 62 (1) which talks about prohibition of demonstrations in the station of metro railways etc. Now, what happens when there is a genuine fault on the part of the metro railways? Now, when we take the case of the Rajdhani Express, there is an announcement that it shall travel at a speed of 130 miles per hour; there is an official order to reduce the speed and the train is running late and if I protest against it, would I be sent to jail for six months? So, some effective machinery should be thought of to address the grievances of the passengers in the station itself and the repercussions of this clause should also be taken serious note of.

With these words, I support the Bill.

THE DEPUTY CHAIRMAN: Shri Pranab Mukherjee, would you like to say something now?

SHRI PRANAB MUKHERJEE (West Bengal): Yes, Madam. Firstly, the hon. Minister has pointed out that they did not get the response from the State; this is not correct. But I am not going into that because after all the involvement of the Delhi Government was at the persuasion of the Union Government. It is not that they voluntarily wanted to have it. They too had to invest money in that. Therefore, they would like to see that their interests are being fully protected.

Madam, even though I didn't want to bring this point again, but since the Minister has mentioned it again, I would like to ask of him: If the Bill was prepared in 2000, and he did not get the response from the State Government for two years, why did they sit tight till 29th October? Why didn't they bring this piece of legislation in the Monsoon Session? We could have examined it in all aspects. Therefore, this has to be kept in view. Secondly, it is not correct to say that they will be subjected to political pressure. Others will also be subjected to political pressure. What has happened to the main Railways? For how many years you have not paid dividend to the Central Exchequer? For three consecutive years, the Indian Railways have not paid any dividend to the Central Exchequer? Therefore, pressure is there everywhere. It is for the administrators or rulers to withstand that pressure.

The third aspect is, to what extent they will be able to have a lot of coordination between the Delhi Government and the Central Government is needed to run the corporation smoothly because the Corporation is jointly owned by the Union Territory Government and the Union Government. You cannot start it with friction. Take the case of power. If you want to reduce

the fare structure, you will require subsidised power from the State Government. But if there is already friction, there will be only problems to follow. And I would request the hon. Minister to take the advice of Dr. Karan Singh that he should have discussions with them, try to remove the misunderstanding, even if there be any. And there is no harm even if you do not get any response from them. There is no harm inviting them over a cup of tea. And if you are observing austerity, I do not mind your inviting them over a glass of water; sit across the table and discuss the issue and sort it out. This is my submission. Let us not take the attitude as to who is responsible and to whom the blame should be passed on. In that way, you cannot run any organisation, especially, the one that is jointly owned, unless you have changed that policy. The policy and the approach, which we were having during the Eighth Five Year Plan period, was that provision of facilities to commuters was part and parcel of the transit system and that the Union Government's responsibility should be less; that is why I referred to the fact that we had suggested to the State Government of West Bengal that it could take over the management of the Metro rail. They thought that it would be burdensome and so they did not do it. In this connection, I would like to point out that whatever be the surface rail, if you visit the Calcutta Metro rail, it is comparable to any other well-managed and well-run Metro. This is the beauty -- the very people who spoil everything on the surface, when they just go a few feet below, totally change their attitude. Dr Singhvi gave certain references. You will find many commuters who take upon themselves the responsibility of cleaning if any of their fellow travellers try to spoil the Metro railways by either throwing some papers or throwing some dirt. With these words, Madam, I thank all the distinguished Members who have participated in the debate and I would request the Minister that, instead of taking a dogmatic approach, he should start discussion with them, try to understand their problems and try to resolve them because you will have to run it as a joint operation. The first phase is all right; but it will have to be completed in due time. It will have to be managed. A new experiment is being made. That is why, it has been taken out from the Railway Ministry and it has been put under the Urban Development Ministry. In the next phase, it should be the responsibility of the State Governments to run the transport system, not the Union Government.

THE DEPUTY CHAIRMAN: If there is austerity, as you mentioned Mr. Mukherjee, I can offer a cup of tea with some other accompanying things to host a meeting, just to solve the problem. Now, have you withdrawn your Resolution? ...*(Interruptions)*...

SHRI PRANAB MUKHERJEE : No, but I am not pressing it, Madam.

SHRI ANANTH KUMAR: At the outset, I thank Shri Pranab Mukherjee, a veteran parliamentarian, for not pressing the Resolution. I also thank the Members, who participated in the debate and lent their wholehearted support for passing the Bill. I want to say a few things.

Firstly, we require Metros in 35 metropolitan cities of the country. According to the 2001 census, we have got 35 metropolitan cities which have more than one million population each. We now have the Delhi Metro and before that we had the Calcutta Metro. There is a rail-based local train system in Mumbai and a semblance of Metro in Chennai. But, otherwise, various other metropolitan cities across the country, like Bangalore, Hyderabad, Cochin, Thiruvananthapuram, Lucknow, Kanpur, Bhubaneswar, Ahmedabad, require Metros. I have initiated the discussion on this issue in the last six months with various Chief Ministers -- the hon. Chief Minister of Gujarat, the hon. Chief Minister of Kerala, the hon. Chief Minister of Karnataka and the hon. Chief Minister of Uttar Pradesh. I always felt that the Urabn Development Ministry should not be Delhi-centric; it should be India-centric. About three months back, we had the National Convention on Urban Transport where we had decided to come out with an urban transport policy, because an urban transport policy is very much necessary. Within a year, we are coming out with that urban transport policy. Now, because of these metros, commuting will become faster, affordable and the cities will be totally pollution-free. The House will be amazed to know that, when the Delhi Metro is completed, we will be replacing 20,000 DTC buses; that is the capacity of this metro rail. A question has been rightly asked as to why it is with the Urban Development Ministry and why not the Railways. The decision had been taken as far back as 1986, that the metros should come under the Urban Development Ministry, because there has to be synchronisation. When we plan for a metro city, we will have to plan other transport systems also -- inter-modal transport, creation of corridors, and so on. Therefore, it has been shifted to the Urban Development Ministry after a lot of contemplation on this matter.

Dr. Karan Singhji asked as to when the Delhi Metro would be completed. Now, there are different phases. The first phase of 64 kms. will be completed by 30th September, 2005. We are almost on schedule. The first section of 8.3 kms. is also running ahead of schedule. After this is

over, the section between Tees Hazari and Trinagar will be completed by September 30, 2003. The Trinagar-Rithala section will be completed by 31.3.2004. The Rithala-Barwala section will be completed by 31.12.2004. The Vishwavidyala-ISBT section will be simultaneously completed. The ISBT-Central Secretariat section will be completed by 30th September, 2005. The Barakhamba Road-Connaught Place-Dwarka section will be completed simultaneously. A total of 64 kilometres will be completed by 30th September, 2005. In the next phase, another 50 kms. will be completed by 2010. In the third phase, another 60 kms. will be added by 2015. In phase four, another 60 kms. will be added by 2021. That comes to a total of 240 kms. The first phase requires Rs.12,500 crores, in which both the Union Government and the Delhi Government are equal equity shareholders, of 50 per cent each.

Then, a question was asked as to what would happen once we clear the JVIC loan. The equity will remain the same; it will not change. We will be equal partners in the whole thing.

Another very valid question was asked about the security of Delhi Metro. It has been decided that the Delhi Metro will have a separate Delhi Metro Police Force, which will be deployed by the Delhi Police for the security of the Metro. It will have sniffer dogs, close-circuit TVs and so on in all the railway stations. There will be Smart-Cards for the regulation of access to the stations. There will be complete fencing of all the installations. This is the speciality of the Delhi Metro. Therefore, it will be a fully secured railway. What about power? Actually, there will be power directly from the TRAMCO; we have back-up from three sources and, finally, from the generating sets too. Therefore, there would be 24-hour power supply from these three sources. So, it is going to be foolproof. The thing is that, we are in a transitional situation. From a 100 per cent railway-owned, rail-based transport system, we are moving to the Metro system. Therefore, it is a Special Purpose Vehicle in the case of the Delhi Metro. It is a non-Government railway. When we say it is a non-Governmental railway, it is according to the Railway Act of 1989. According to the Companies Act, it is 100 per cent Government owned. There are two definitions for the same thing, in two different Acts. But it is owned 100 per cent by the Government of India and the Government of Delhi. But, from the point of view of the Railway Act, it is a non-governmental railway because it is not owned by the Railway Department. This is only a legal technicality.

We are also proposing that various State Governments should come forward to create such SPVs in their own States. We are also

proposing an equity model to various State Governments, by saying that 13 per cent equity share can be held by the Union Government, and 13 per cent equity can be held by the respective State Government. This comes to 26 per cent. You know the significance of 26 per cent, according to the Companies Law. If they have 26 per cent equity, then they will have the withholding vote. The remaining 74 per cent can come from the FIIs, even from various private consortia. The House is well aware that the Bangalore International Airport is coming up on such a model, with 13 per cent equity from the Government of India, and 13 per cent equity from the Government of Karnataka; the remaining 74 per cent equity coming from the Siemens, the Zurich International Airport and Larsen and Toubro. They are going to complete an international standard airport in the next 36 months. Therefore, we are suggesting this model to various State Governments. The Union Government has given the sovereign guarantee for this project for a JVIC loan, and even the interest on the loan is very less. There is hardly a two per cent interest on the loan.

Madam, here, I would like to state that we are not discriminating against any State Government. We are saying that the Urban Development Ministry will not be Delhi-centric; it will be India-centric. Therefore, we have started discussions with the Chief Ministers of different States and persuading them to come forward and to have metros in their State capitals and other metropolitan cities also.

Lastly, I would like to say that, not once, myself and the hon. Chief Minister of Delhi had many rounds of discussions, not only on the Metro, but also on Delhi affairs in the last one-and-a-quarter year. There is no hesitation on the part of the Government of India. We are very pro-active, and we want to do things 'hands on'. I, for one, we, as a party, and we, as a Government, never mix politics with these things, because there should not be any politics in development activities. It is for the people; it is for the nation. We should pursue the matter by keeping it above party politics. The Metro Project has always been pursued like that. With these words, I once again thank the hon. Members for giving their whole-hearted support to this Bill. Now, I request the House to pass this Bill.

THE DEPUTY CHAIRMAN: So, you don't accept my offer of tea? You are already...

SHRI ANANTH KUMAR: Madam, you are always welcome.

SHRIMATI VANGA GEETHA: Madam, what about the Advisory Committee? ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: As far as the Advisory Committee is concerned, the Minister should consider taking women into it. It is a good suggestion, for the safety of women, especially. Mr. Mukherjee, are you withdrawing your Resolution?

SHRI PRANAB MUKHERJEE: Yes, I will have to formally withdraw the Statutory Resolution..

THE DEPUTY CHAIRMAN: Does the hon. Member have the permission of the House to withdraw his Resolution?

The Statutory Resolution was, by leave, withdrawn.

THE DEPUTY CHAIRMAN: I shall now put the motion moved by Shri Ananth Kumar to vote. The question is:

> "That the Bill to provide for the operation and maintenance and to regulate the working of the metro railway in the metropolitan city of Delhi and for matters connected therewith and incidental thereto, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

THE DEPUTY CHAIRMAN: We shall now take up the clause-by-clause consideration of the Bill.

Clauses 2 to 105 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI ANANTH KUMAR: Madam, I move:

> "That the Bill be passed".

The Question was put and the motion was adopted.

THE DEPUTY CHAIRMAN: There was a suggestion from Dr. Singhvi that we all, the Members of Parliament, Ministers-he didn't include the Chairman and the Deputy Chairman-should also travel by the Metro, but it is not passing through our areas of stay. In order to travel in it, we have to go by car to a Metro station, sit in it, come out of it at another station, and then get picked up from there.

DR. L.M. SINGHVI: Madam, we have destinations other than the Parliament House...*(Interruptions)*...

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Madam, the more problematic area is the parking place. That is, a lot of vehicles would be there at the stations. Workers would leave their two-wheelers at the station and would catch the Metro to reach to their workplaces. But there is no place for the vehicles, as of now. Even after the passage of the Bill, I would like the Minister to take this into consideration, making more parking place available.

THE DEPUTY CHAIRMAN: Now we shall take up the Statutory Resolution, the Securities and Exchange Board of India (Amendment) Ordinance, 2002 and the Bill. We will discuss these two together. Mr. Prithviraj Chavan.

STATUTORY RESULATION

SEEKING DISAPPROVAL OF THE SECURITIES AND EXCHANGE BOARD OF INDIA (AMENDMENT) ORDINANCE, 2002

AND

THE SECURITIES AND EXCHANGE BOARD OF INDIA (AMENDMENT) BILL, 2002

SHRI PRITHVIRAJ CHAVAN (Maharashtra): Madam, I beg to move:

"That this House disapproves the Securities and Exchange Board of India (Amendment) Ordinance, 2002 (No. 6 of 2002) promulgated by the President on the 29th October, 2002."

Madam, first of all we have a serious objection to the way the Government is bringing financial legislations through the Ordinance route. As many as six Ordinances have been promulgated just a few days before the summons for the Parliament Session were issued. In this particular case, the Parliament was summoned on 31st October; and the Ordinance came just two days before, on 29th October. In fact, the Cabinet had decided to summon the Parliament on 18th November itself. Knowing fully well that the Parliament was going to be summoned, still, the Government went ahead and promulgated the Ordinances, very important legislations, like the SEBI Bill, the UTI Bill and the Bill that we just passed.

Everybody has gone into this aspect. Many Hon' Speakers, right from late Shri Mavalankar, have, in absolute terms, castigated the Government's bringing legislation through Ordinances. I will not take the time of the House and quote what has been said, but I take strong objection to this practice, not only legislations by Ordinances, but also,